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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,979	07/08/2003	Rainer Klaus Krause	DE920020004US1	8789
48583	7590	02/23/2005	EXAMINER	
BRACEWELL & PATTERSON, LLP			HABERMEHL, JAMES LEE	
PO BOX 61389			ART UNIT	
HOUSTON, TX 77208-1389			PAPER NUMBER	

2651

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/614,979	<b>Applicant(s)</b> KRAUSE ET AL.	
	<b>Examiner</b> James L Habermehl	<b>Art Unit</b> 2651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-19 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Ding et al. Ding et al. Figure 14 meets all the limitations of the claim, including inputting a control command to perform a long or a full seek operation (1404), measuring a frequency response of the head gimbal assembly to the control command (1414), and comparing the frequency response to a master frequency response, which the examiner considers to be the closed loop feed-forward filtered response, by setting the bandpass center frequency to the resonance frequency of the measured frequency response (col. 14, lines 63-67).

Regarding claim 2, the head is positioned at predefined positions across the disk before each inputting of the control command when it is positioned to each of the zones (1418).

Regarding claims 3-4, head oscillation is measured and a Fourier transform performed to obtain the frequency response after positioning the head to each of the zones (1412/1414).

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4. Claims 9-19 are allowed over the prior art of record. Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter:

Claim 5 is allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose a method of testing a head gimbal assembly comprising performing the measurement by means of a laser measurement system, as presented in the environment of claim 5. It is noted that the closest prior art, Ding et al., shows head gimbal assembly testing similar to the claimed invention. However, Ding et al. fails to disclose performing the measurement by means of a laser measurement system as claimed.

Claim 7 is allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose a method of testing a head gimbal assembly comprising adjusting a mechanical property of the head gimbal assembly for shifting the frequency response into the direction of the master frequency response, as presented in the environment of claim 7. It is noted that the closest prior art, Ding et al., shows head gimbal assembly testing similar to the claimed invention. However, Ding et al. fails to disclose adjusting a mechanical property of the head gimbal assembly for shifting the frequency response into the direction of the master frequency response as claimed.

Claim 9 is allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose a system for testing a head gimbal assembly comprising means for inputting a control command to perform a long seek operation and means for measuring a mechanical frequency response of the head gimbal assembly, as

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described in Figures 3-5 and pp. 8-10 and presented in the environment of claim 9. It is noted that the closest prior art, Ding et al., shows head gimbal assembly testing similar to the claimed invention. However, Ding et al. fails to disclose means for inputting a control command to perform a long seek operation and means for measuring a mechanical frequency response of the head gimbal assembly as described in Figures 3-5 and pp. 8-10 and as claimed.

Claim 19 is allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose a head gimbal assembly comprising a trimming element for adjusting a mechanical property in order to make a frequency response of the head gimbal assembly approximate to a master frequency response, as presented in the environment of claim 19. It is noted that the closest prior art, Chen et al., shows load beam fabrication trimming similar to the claimed invention. However, Chen et al. fails to disclose a head gimbal assembly comprising a trimming element for adjusting a mechanical property in order to make a frequency response of the head gimbal assembly approximate to a master frequency response as claimed.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ho et al. Figures 9-10, Galloway et al. Figures 5-6 and 10-11, Waugh Figures 7 and 10A-10C, Dittmar Figures 1-2, Hess et al. Figures 2 and 4-5, Wittig et al. Figures 2-4, and Chung Figures 4-5 are similar to applicant's invention.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James L Habermehl whose telephone number is (703)305-6975.

The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (703)308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Habermehl/jlh  
14 Feb 05



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